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AUTHOR Evans, Robert J.
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ABSTRACT

Surveys were sent to large public school systems to determine the number that suspend and/or expel handicapped students. Analysis of the 106 returned questionnaires revealed that over 97% (103) suspend handicapped students, with 61 using both in-school and out-of-school suspensions, 36 using only out-of-school suspensions, and six using only in-school suspensions. Only 32 reported using expulsion. Many systems asserted the disciplinary measures were conducted in accordance with due process requirements of P.L. 94-142, the Education for All Handicapped Children Act. Court decisions on revising students' individualized education programs, providing homebound instruction, and determining the causal relationship between behavior problems and the handicapping condition were frequently cited as support for suspension/expulsion. The author asserts that neither suspension nor expulsion has been shown effective, and that school systems must find more constructive ways to deal with the inappropriate behavior of handicapped students. (CL)

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Suspension and Expulsion of Handicapped Students: Prevalency in Major U.S. Cities

Robert J. Evans
Assistant Professor
Troy State University
Troy, Alabama

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Running Head: Suspension

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Abstract

The purpose of this study was to investigate the prevalency of major U.S. school systems that suspend and/or expel handicapped students. Court decisions involving the suspension or expulsion of handicapped students were included as support for the continued use of these practices by school systems. The apparent ineffectiveness of suspension and expulsion procedures along with the complications inherent in their use with handicapped students were discussed in order to support the quest for alternative measures. School systems need new positive measures to replace the suspension and expulsion procedures which are currently being used too widely and very ineffectively.

Suspension and Expulsion of Handicapped Students: Prevalency in Major U.S. Cities

Services to handicapped children have experienced an unprecedented increase in the past several years. This increase in services to special children has raised concerns about the most suitable method to deal with the inappropriate behavior of exceptional children. Thus far these concerns have not been adequately resolved (Barnette & Parker, 1982).

The passage of the Education of All Handicapped Children's Act (PL 94-142) (1975) has forced the schools to adapt their educational strategies to provide appropriate services. Unfortunately, the disciplinary procedures used to control school behaviors have been slow to change (Barnette & Parker, 1982). The majority of school systems still view suspension and expulsion as their major weapons against unruly students (Brodinsky, 1980). The purpose of this study was to investigate the prevalency of major school systems that suspend and/or expel exceptional students.

Suspension. Suspension is the temporary interuption of a student's normal educational routine. Traditionally this has meant that the student was immediately sent home for a short period of time. During the 1970's this term took on a less restricted meaning which appeared to gain widespread acceptance. The concept of in-school suspension emerged. A student being considered for suspension would be removed from his/her regular educational routine and placed in a self-contained highly restrictive setting within the school for short duration (Arsulich, 1979; Christian, 1979; CCSD, 1979).

Expulsion. Expulsion is a much more serious procedure than suspension. It is the total denial of attendance at school. Within the last ten years, expulsion may also have developed the connotation of the offering of an alternative education program (Arsulich, 1979; Christian, 1979; CCSD, 1979).

Method. A brief survey was mailed to all public school systems serving U.S. cities having a population of 100,000 or more inhabitants. Even though the exclusive use of large school systems may tend to systematically bias the results, it provided an efficient means of:

1. sampling all geographical regions of the United States, and

2. obtaining data from school systems that could be meaningfully compared.

The questionnaires were specifically addressed to the "Special Education Coordinator" of 153 school systems located in 40 states and the District of Columbia. It consisted of five major items:

1. Does your school system suspend students who have been identified as handicapped?
2. If yes, please identify the type of suspension.
3. If yes, how long?
4. Does your school system expel students who have been identified as handicapped?
5. Additional comments requested.

The survey was brief; stamped self-addressed envelopes were provided; and the preservation of total anonymity was quaranteed inorder to secure a more suitable rate of return.

Results. The survey had the very acceptable return rate of 68.4%, 108 of the 153 surveys mailed were accounted for in one of the following ways:

1. 106 questionnaires were completed and returned,
2. 1 questionnaire was returned unanswered, but accompanied by a statement of school system policy concerning the suspension and/or expulsion of handicapped students,

3. 1 statement of refusal to participate,
4. and 3 returned by the postal service as undeliverable.

Put Table 1 About Here

The return of 106 completed questionnaires is especially noteworthy when one considers the extremely delicate nature of the subject matter. The United States Supreme Court decisions of Gross v. Lopez (1975) and Wood v. Strickland (1975) may help illustrate the precarious position in which a school system might find itself. These cases upheld the rights of the student and/or his/her parents to a defense and to the privilidge to sue the school authorities for damages if rights had been violated by either suspension or expulsion procedures (Brodinsky, 1980).

Only three of the school systems responding neither suspend nor expel handicapped students. More than 97% (103 systems) of the school systems returning questionnaires indicated that they do suspend handicapped students. Sixty-one of the systems incorporate both in-school and out-of-school suspensions; thirty-six utilize out-of-school suspensions exclusively; and, only six of the systems restrict themselves to in-school suspensions. In 56.7% of these systems, a suspended student's routine may be interrupted for more than five days.

Table 1

Suspension Patterns of Responding Systems

	Suspend	Do Not Suspend
Type of Suspension		
In-School Only	6	
Out-of-School Only	36	
Both In/Out School	61	
Total # Schools	103	3

Expulsion Patterns of Responding Systems

	Expel	Do Not Expel
Total # Schools	32*	66

*(An additional eight school systems acknowledged having an expulsion policy which had not been used recently)

The extremely serious nature of expulsion procedures probably accounts for the following results. Only 32 of the responding school systems indicated the use of expulsion with handicapped students. Sixty-six systems indicated that they did not expel handicapped students. An additional eight systems indicated the existence of school policy stating the procedures to expel special students, but they also claimed that no handicapped student had been expelled in the past eight years.

Summary. A proportionately large number of school systems employ suspension and/or expulsion as disciplinary procedures with handicapped students. Before continuing, a point added to the survey by a large majority of the responding school systems needs to be emphasized and also examined. The suspension and/or expulsion of a handicapped student is done according to stated school board policies which are believed to be in accordance with the "due process" requirements of PL 94-142 (1975).

The schools' responses appear to indicate a heavy reliance on several court cases for interpretation of the vague requirements of PL 94-142 (1975) and for precedents. Rewriting the student's Individual Education Plan (IEP) was frequently mentioned as a prerequisite for suspension

or expulsion. In Stuart v. Nappi (1978) a Connecticut Federal District Court's decision stated that expulsion of a handicapped student constituted a change in placement and could not take place without an IEP revision.

The availability of homebound instruction during out-of-school suspension was often indicated. The New York District Court in the Sherry v. New York State Education Department (1979) decision, stated that a handicapped student can not be suspended without having related services either supplied or financed by the school system.

An Indiana Federal Court's decision in the Doe v. Koger (1979) case appears to be having the most influential effect on the disciplinary action taken with handicapped students. It was the most frequently stated ruling mentioned in the comment section of the survey. Thirteen of the 32 systems that do expel handicapped students first attempt to determine the existence/non-existence of a causal relationship between the inappropriate behavior and the handicapping condition. The court differentiated between behaviors steming from the student's handicapping condition and behaviors not steming from the student's handicapping condition. When the behavior deserving of suspension and/or expulsion procedures is determined to

be separate from the student's handicapping condition, the handicapped student is then treated the same as a non-handicapped (normal) student (Flygare, 1981). The ability to distinguish between behaviors caused by the handicapping condition and behaviors not caused by the handicapping condition should be viewed with skepticism.

> When the parents are likely to go to court, teams will see the children's disruptive behaviors and their handicaps as related. If the parents are not likely to go to court, teams will see the actionable behaviors and the handicaps as unrelated (Dagley, 1982, p. 697).

The state of the art in the behavioral sciences has not yet reached this point of perfection. The handicapping condition may not be identified as the cause of the behavior in question, but may have predisposed the student to act in an inappropriate manner (Barnette & Parker, 1982). The necessary differentiation of specific causes of behaviors is a most complex and possibly impossible task.

> Educators' time would be better spent learning behavior management techniques, developing other disciplinary options, and teaching these skills to colleagues. Trying to demonstrate

> that no causal relationship exists between a child's handicap and his or her disruptive behaviors is an exercise in futility (Dagley, 1982, p.697)

The results of this survey indicate that the practice of suspension and/or expulsion as an attempt to maintain in-school control of handicapped students continues today. Rarely do these procedures even change the behavior of nonhandicapped students (Barnette & Parker, 1982). Suspension and/or expulsion procedures need to be questioned. Suspension and/or expulsion should be viewed as the school's admission of its inability to adequately serve its students' needs (Brodinsky, 1980).

Learning should be the central purpose of the school (Hess, Martin, Beck, Parker, & Lagoe, 1979). When students are interested and involved in learning, the need for discipline diminishes (Arsulich, 1979). The school systems need to develop procedures to identify and remedy root problems, and to help develop the student's self--discipline (Mizell, 1978). Mizell further states that the reluctance to reduce suspensions and/or expulsions

> ... should be recognized as <u>de facto</u> admission by school officials that they are unable or unwilling to successfully initiate the kinds of

> preventive instructional, organizational, and management strategies which will minimize the manisfestation of inappropriate behavior by students (p. 7).

Few school systems have discontinued the practices of suspending and/or expelling handicapped students. Neither procedure has been shown to be effective. In fact, the opposite may be closer to the truth. Increased inappropriate behavior is a common response to punishment (ie. suspension and/or expulsion) (Arsulich, 1979). Before expending further energy and expense on punitive measures, school systems need to examine some central questions:

1. Is it possible to separate a particular behavior from the handicapping condition (Barnette & Parker, 1982)?
2. Does the disproportionate number of minority students suspended and/or expelled indicate a possible racial problem (Bickel & Qualls, 1979; Billings, 1979)?
3. Do the punitive procedures of suspension and expulsion effect positive behavioral changes in handicapped students (Barnette & Parker, 1982)?

Along with this critical examination of punitive measures,

it is recommended that school systems recognize the need for (a) structure in the classroom (Hess et al., 1979); (b) extensive recognition of positive behaviors by students (Arsulich, 1979); and (c) for special classes within the school for short term treatment of severe discipline problems (Arsulich, 1979). More positive and constructive means of dealing with the inappropriate behaviors of handicapped students need to be developed to replace the ineffective and questionable procedures of suspension and expulsion.

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